

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CONSOLIDATION COAL COMPANY,)	
)	
Plaintiff,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF THE)	
INTERIOR, NATIONAL PARK SERVICE, et al.)	
)	CIVIL ACTION No. 00-2120
Defendants.)	
_____)	
)	
ROY BRENDDEL and DIANE BRENDDEL,)	
)	
Third-Party Plaintiffs,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF)	
INTERIOR, OFFICE OF SURFACE MINING)	
RECLAMATION AND ENFORCEMENT, et al.)	
)	
Third-Party Defendants.)	

**BRENDELS' MOTION FOR STAY OF DISCOVERY, PROTECTIVE ORDER
AND REQUEST FOR CONFERENCE WITH THE COURT**

Defendants-Third-Party Plaintiffs Roy and Diane Brendel, by and through their counsel, David C. Hook and Michael V. Nixon, submit this motion for a "Stay of Discovery, Protective Order and Request for Conference With The Court." Matters of docket control and the conduct of discovery are committed to the sound discretion of the Court. In re Fine Paper Antitrust Litigation, 685 F.2d 810, 817 (3rd Cir. 1982); Borden Co. v. Sylk, 410 F.2d 843, 845 (3rd Cir. 1969). This motion is supported by the accompanying Declaration of David C. Hook, which sets

forth facts showing that the need for an immediate stay of discovery and conference with the Court is obvious, and that a stay and conference with the Court would be beneficial for all concerned and in the interests of fairness, justice, and common sense.

Respectfully submitted,

<u>David C. Hook</u>	<u>2/11/06</u>
David C. Hook	Date

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